

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: COUNTY CLERK - MOTOR VEHICLES (INCLUDING HISTORIAN)**

**DATE: APRIL 2, 2008**

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**COMMITTEE MEMBERS PRESENT: OTHERS PRESENT:**

SUPERVISORS	KENNY	PAMELA VOGEL, COUNTY CLERK
	BELDEN	JODY ROSS, DEPUTY COUNTY CLERK
	SHEEHAN	FREDERICK MONROE, CHAIRMAN
	BENTLEY	HAL PAYNE, COMMISSIONER, ADMINISTRATIVE & FISCAL
	O'CONNOR	SERVICES
		JOAN SADY, CLERK OF THE BOARD
		SUPERVISOR TAYLOR
		SUPERVISOR GERAGHTY
		TODD LUNT, HUMAN RESOURCES DIRECTOR
		JOANNE COLLINS, LEGISLATIVE OFFICE SPECIALIST

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Mr. Kenny called the meeting of the County Clerk-Motor Vehicles (Including Historian) Committee to order at 9:33 a.m.

Motion was made by Mr. Bentley, seconded by Mr. Belden and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Pamela Vogel, Warren County Clerk, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Ms. Vogel reviewed the Budget Performance Report through March 31, 2008 beginning with revenue comprising County Clerk Fees (which included Public Records) and Mortgage Tax. She said that the remainder of the report reflected expenses for County Clerk and Public Records. *A copy of the Budget Performance Report is on file with the minutes.*

A brief discussion ensued.

Ms. Vogel requested to transfer funds in the amount of \$630.00 to replace obsolete office supplies and equipment as follows: \$450.00 from Code A.1410.424 to Code A.1410.260 ; and \$180.00 from Code A.1410.424 to Code A.1410.0220.

Motion was made by Mr. Belden, seconded by Mr. Sheehan and carried unanimously to approve the transfer of funds as outlined above for a total amount

of \$630.00 and refer same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Ms. Vogel requested to amend the 2008 budget to increase estimated revenues and appropriations in the amount of \$1531.00 to appropriate unexpended funds from 2007 LGRMIF (Local Government Records Management Improvement Fund) Grant # 0580-08-8271.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$1531.00 and refer same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Pursuant to the Revenue Sources Update and 2008 Budget Impact Report, Ms. Vogel apprised the County Clerk Fees (A.1255) represented the balance of all fees collected by the Clerk that remained with the County and she expounded there could be fee changes as a result of the Governor's budget, and she noted in January, the County Clerk learned that Passport Services (Department of State) issued a fee decrease of \$5 for passports. This fee, she said, was set by the Federal Government, and the County had no forewarning.

Mr. Kenny added that the apparent trend had been for the State to shift the cost of encumbrances to the County.

Ms. Vogel maintained that the Department continued to offer a high level of service, and had processed 1,800 passports last year.

Mr. Taylor asked if any part of the \$5 fee charged for each automobile on an insurance policy went to the County Clerk and Ms. Vogel replied in the negative. Mr. Kenny stated that the entire fee went to the State. Ms. Vogel added that in the past, \$1 of the total fee was collected by the County.

Item two of the Revenue Sources Report, Mortgage Tax Fees (A.1256), were based on the 1% tax collected and represented the portion of tax paid to the Warren County Treasurer specifically for additional Mortgage Tax, Ms. Vogel stated. She noted on the Mortgage Tax Informational handout a drop in mortgages reported in Warren County so far in 2008.

The next item on the Report was Local Government Records Management Improvement Fund (A.1460) which, Ms. Vogel said, was fully funded with revenue which covered the entire cost of project.

Ms. Vogel proceeded to item 4, (S6806/A9806 - Part P) and reported the update for 2008. Ms. Vogel reported the revised bills offered increases in the per page fee and a \$20 basic fee, with the intent being to offset a decrease in State Aid to Counties for detention, DARE and other social services. She said there were two bills drafted to increase the fees in the Clerks Office to offset the decreases in aid to detention homes or DARE Programs as it was understood by the County Clerk.

Referring to the State budget issue, Mr. Kenny said the State was asserting a decrease in aid for detention homes and the projected impact on Warren County was \$123,000. Mr. Haskell remarked, with Mr. Geraghty in agreement, that the funding was restored in the budget.

Joan Sady, Clerk of the Board, confirmed that the split had been returned to a 50/50 ratio between State and County; however, she said, she was not apprised of the detention changes prior to this meeting.

Mr. Kenny recommended that any discussion on this issue be held until after the State budget was approved, and the Committee should refer discussions to the next months Committee meeting.

Addressing the final item on the Revenue Resources Report, Ms. Vogel summarized the data regarding Vehicle Use Tax. She advised that this tax was based on the County of residence of the person to whom the vehicle is registered for both passenger and commercial vehicles. She noted that the County would generate approximately \$300,000 per year. Jody Ross, Deputy County Clerk, stated that the State paid the Treasurer directly and the County Clerk was not involved in the fiscal transaction. *A copy of the Revenue Resources-Update and 2008 Budget Impact Report is on file with the minutes.*

A brief discussion ensued.

Continuing, Ms. Vogel presented and reviewed the County Clerk Annual Report Summaries (Report 7), which included the Quarterly Reports for the first quarter 2007-2008 (Report 8), a copy of which is on file with the minutes.

Mr. O'Connor asked if the significant and consistent drop under DMV since 2002 was in any way due to fact that the State requested renewals be mailed to Utica. Mr. Geraghty added that transactions could now be completed via the internet which was not available in prior years, resulting in a decrease.

Ms. Vogel apprised that license renewals were in cyclical time frames and the County had approached the time where the eight year licenses would require

renewal; therefore, she said, the County Clerk expected an increase in license renewals which must be completed by the licensee in the DMV Office.

Mr. Geraghty inquired about a past campaign put forth by the Warren County Clerk for the purpose of encouraging use of DMV for Warren County residents, asking Ms. Vogel if any success was noted with the campaign or was online processing the main deterrent. Ms. Vogel stated her opinion was that residents often assumed no matter how they renewed that the money was going to the County. Mr. Geraghty asked if the County Clerks Association had lobbied with the State even if only a small portion went to the County.

Mr. Kenny expressed that a visit to the DMV held a negative connotation for residents who anticipated long waits, questions, and complex transactions and the County had succeeded in alleviating some of the transactional encumbrances for the public.

Mr. Taylor inquired if the County could offer on-line transaction processing, and Ms. Vogel replied in the negative, recalling a pilot three years ago in St. Lawrence County which was not successful. However, Ms. Vogel noted, with the new Commissioner, who was a former County Clerk for Erie County, the on-line appeal may be viewed more favorably.

Referring to the Quarterly Reports portion of the County Clerk Annual Report, Ms. Vogel directed the Committee to the figures comparing January through March of 2007 with the January through March figures for 2008, noting a slight decrease in total revenue from \$2.4 million to \$2.2 million respectively.

Ms. Vogel noted that deeds and mortgages were down and stated that the first quarter was typically not the strongest quarter, even in a strong fiscal year. She added that one of the factors that effected County revenue under A.1255 was recordings if a decrease was realized, and at \$3.00 per page, revenue would be impacted.

Mr. Geraghty stated decreases in fees could preclude a decreased workload and Departments must exercise vigilance regarding Department expenses such as avoiding overtime, and he recognized Ms. Vogel for her stewardship regarding this important issue.

Ms. Vogel apprised that much of the work in the Department was due to court work (foreclosures), from which the County Clerk did not receive revenue.

Moving to the Mortgage Tax Report, Ms. Vogel stated that following discussions

by the Board of Supervisors, 2008 revenue was increased in the 2008 County Clerk budget based on the assumption of a 1/4 percent increase.

Mr. Payne clarified that the tax was not implemented; however, he said, it was discussed at budget time as a possible revenue enhancement. Mrs. Sady added that it was her understanding that the County increased the County Clerk revenue based on the increased Mortgage Tax figure.

Reviewing the Mortgage Tax Report, Ms. Vogel stated the current tax of 1% had been in place since 1999, and the option to assign the same percentage dated back to 1966. She added that in 2007, there were 4,200 mortgages and \$6.6 million dollars was collected, of which a portion of \$1.6 million went to the County Treasurers Office.

Ms. Vogel reviewed the remainder of the Mortgage Tax Report and explained a comparison to other Counties as follows: 1.25% figure for Essex County, and 1% in both Washington and Saratoga Counties. *A copy of the Mortgage Tax Report is on file with the minutes.*

A discussion ensued.

Chairman Monroe stated that in reviewing the budget figures for 2009 there was clearly going to be an unacceptable tax increase imposed on residents and the County must act either by increasing revenues or decreasing expenses. He contended that each time an action was suggested by the County decrease expenses, reasons were presented discounting such action. Then, he said, Department's presented staffing requests whereby some were covered by State revenues and others were absolutely necessary, therefore, he said, there was only so much that could be done on the expense side and if the County was faced with an unacceptable tax increase, they must look seriously at ways to increase revenue, while remaining diligent wherever possible by reducing expenses. He added that the County could not meet the goal by decreasing expenses only.

A discussion ensued.

In agreement with Chairman Monroe, Mr. Geraghty stated that should the County be left with no other options to increase revenue, staff layoffs must be considered. He noted that although the County did not want to pursue that option, it remained the only way to reduce the budget, comparing this problem to those constantly faced by businesses. In his opinion, he said, a 25% increase in Mortgage Tax would not be severe for the purpose of increasing revenue.

Mr. Payne asked Mr. Strainer if he had ever been asked the Mortgage Tax rate when closing on real estate, and Mr. Strainer replied in the negative, stating that the question had never been posed.

Mr. Payne confirmed that this was part of the closing costs and buyers typically paid it without question.

Mr. O'Connor apprised that although the County was not a business, the County's foremost critic was the local daily newspaper, and the newspaper continually raised advertising rates in order to do business.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried by a majority vote to refer a Mortgage Tax increase of 25% to the Finance Committee, with Mr. Kenny voting in opposition.

Chairman Monroe asked what the deadline was for submitting bills to the State Legislature and Mrs. Sady replied that the deadline was April 21<sup>st</sup>, 2008, with the next Board meeting scheduled for April 18<sup>th</sup>.

Mr. Dusek suggested that Chairman Monroe contact Senator Little and apprise her of the proposed Mortgage Tax increase.

With no further business to come before the County Clerk-Motor Vehicles (Including Historian) Committee, on motion made by Mr. Belden and seconded by Mr. O'Connor, Mr. Kenny adjourned the meeting at 10:21 a.m.

Respectfully Submitted,

Joanne Collins, Legislative Office Specialist